



Bayer regularly use and rely on these projections in providing market research reports to Bayer. Bayer itself does not collect retail sales data on the sale of Bayer Aspirin other than through IRI.

4. There are several products that Bayer considers to be "Bayer Aspirin," including Genuine Bayer Aspirin, several Bayer Aspirin regimen products, several extra strength Bayer Aspirin products and Bayer Advanced Aspirin products. I have obtained data from the IRI database of retail sales of these Bayer Aspirin products within the State of Missouri for the period from November 2007 to the present. The IRI database has added retailers over this period of time but still does not cover all retailers and, as a result, the total of Bayer Aspirin sales from the IRI database is less than the total of actual retail sales. For example, Costco and certain other retailers do not participate in the IRI database and Wal-Mart has only provided data for the period of 2009 to the present. Although the database is incomplete for all retail sales, based upon my knowledge and experience in my position with Bayer, the database provides a conservative estimate of the retail sales value of Bayer Aspirin sales within the State of Missouri during this period.

5. Based on the data I obtained from IRI, a conservative estimate of the retail value of Bayer Aspirin sales in the State of Missouri, during the period from November 2007 to the present, subject to the qualifications stated above about certain data being unavailable, is approximately \$19,800,000.

6. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and that this declaration was signed by me on this 13<sup>th</sup> day of December, 2012.

Further affiant sayeth not.

A handwritten signature in black ink, appearing to read "Richard Kloenne", is written over a horizontal line.

Richard Kloenne

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